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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,570	10/23/2003	Hirota Ishikawa	Q77990	5963
23373 7590 06/14/2007 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			EXAMINER YOO, JASSON H	
			ART UNIT 3714	PAPER NUMBER
			MAIL DATE 06/14/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/690,570

Applicant(s)

ISHIKAWA, HIROTAKA

Examiner

Jasson H. Yoo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) 6-10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 1/8/07, 2/11/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Election/Restrictions***

Applicant's election without traverse of claims 1-5 in the reply filed on 5/11/07 is acknowledged.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Nakamura (US 6,468,162).

Nakamura discloses the following:

1. A game system comprising: a first game device (10-1 in Fig. 1); and a second game device separate from the first game device (10-2 in Fig. 2),

wherein the first game device comprises: medium accommodating means for accommodating a portable storage medium (portable information device, cols. 4:64-5:14); and

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writing means for generating information relating to a play amount for a player, and writing one or more game parameters for information relating to the play amount to the portable storage medium (cols. 2:49-52, 4:10-14, 8:34-43, 10:23-35),

and the second game device comprises: medium accommodating means for accommodating the portable storage medium (each game device is adapted to transfer information to and from the portable information storage device, col. 5:15-22); and

game processing means for reading the game parameters stored on the accommodated portable storage medium and processing prescribed game events based on the read game parameters (cols. 5:10-22, 6:35-39, 8:42-43).

2. The game system of claim 1, wherein the information relating to the play amount is information containing at least one of: a fee paid by the player for playing at the first game device; a number of times a player has played at the first game device; and time a player has played for at the first game device (The number of game plays is store onto the portable storage medium, col. 10:23-35, Fig. 6c. When a player stops a game session on a first game device, the number of game plays played on the first game device is stored.).

3. The game system of claim 1, wherein the game parameters contain at least one of whether or not occurrence of the prescribed game event is possible, and data utilized during the occurrence of the prescribed game event; and the second game

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device carries out processing to generate the prescribed game event based on the game parameters (cols. 5:10-22, 6:35-39, 8:42-43).

4. The game system of claim 3, wherein at least one of the first game device and the second game device decides whether or not to generate the prescribed game event based on a random number (The game device generates a prescribed game event randomly, col. 6:13-16. Thus a random number is inherently required for the electronic gaming process).

5. The game system of claim 3, further comprising: record writing means, when at least one of the first game device or the second game device generates the prescribed game event, writing a record of the occurrence containing information for identifying the prescribed game event to the portable storage medium, wherein, when there is a record of the occurrence, processing is carried out to limit generation of the prescribed game event identified in information contained in the record of the occurrence (character information is processed and limited by the various types of information, such as level, strength, power; cols. 6:12-28, 10:23-39).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jasson H. Yoo whose telephone number is (571)272-5563. The examiner can normally be reached on 8:30-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571)272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JHY

/Corbett Coburn/  
Primary Examiner  
AU 3714